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9 **UNITED STATES DISTRICT COURT**
10 **SOUTHERN DISTRICT OF CALIFORNIA**

11 BEHZAD HAFEZI, an individual,
12 Plaintiff,
13 vs.
14 UNITED STATES OF AMERICA,
15 Defendant.

Case No. 14-cv-653-MMA-NLS

**ORDER DISMISSING ACTION
WITH PREJUDICE PURSUANT
TO FEDERAL RULE OF CIVIL
PROCEDURE 41**

16 On April 14, 2014, Defendant United States filed an *ex parte* motion seeking
17 dismissal of this action on the ground that the case was settled. [Doc. No. 6.]
18 After receiving no response from Plaintiff Hafezi, the Court issued an order
19 directing Plaintiff to respond to the motion and inform the Court whether he
20 stipulated to dismissal of this action with prejudice.

21 On June 4, 2014, Plaintiff filed a response to the *ex parte* motion, wherein he
22 indicated that the case had settled. [Doc. No. 9.] Plaintiff further stated that he
23 would file dismissal papers that same day. To date, Plaintiff has not moved to
24 dismiss this action.

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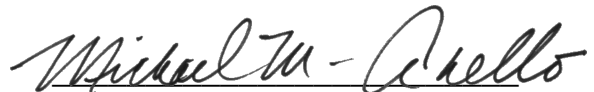
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1 Based upon Plaintiff's clear intent to dismiss this case, the Court construes
2 Plaintiff's response to Defendant's *ex parte* motion as a notice of voluntary
3 dismissal pursuant to Federal Rule of Civil Procedure 41(a). Accordingly, good
4 cause having been shown, this Court hereby **ORDERS** that Plaintiff's action
5 against Defendant is **DISMISSED WITH PREJUDICE**.

6 The Clerk of Court is hereby instructed to terminate this case.

7 **IT IS SO ORDERED.**

8 DATED: June 10, 2014

A handwritten signature in black ink, reading "Michael M. Anello". The signature is fluid and cursive, with the first name "Michael" and last name "Anello" clearly legible.

Hon. Michael M. Anello
United States District Judge